

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:	)	Case No. 04-41663-RJK
	)	Chapter 7
Fred Ombui Machana,)	
	)	NOTICE OF HEARING AND MOTION
	)	BY DEBTOR'S ATTORNEY
	)	TO WITHDRAW FROM CASE
Debtor.)	

TO: Habbo G. Fokkena, U.S. Trustee; Randall L. Seaver, Trustee; Fred Ombui Machana, Debtor; and any other party entitled to notice pursuant to Local Rule 9013-3.

1. Craig W. Andresen ("movant"), attorney for Fred Machana, the debtor in the above captioned chapter 7 case, hereby moves the court for an order allowing him to withdraw as attorney of record in this chapter 7 proceeding.

2. The court will hold a hearing on this motion on **October 6, 2004, at 11:00 a.m.** in U.S. Bankruptcy Court, 301 U.S. Courthouse, **Courtroom 8 West**, 300 South Fourth Street, Minneapolis, Minnesota.

3. Any response to this motion must be filed and delivered not later than **October 1, 2004**, which is three days before the time set for the hearing (excluding Saturdays, Sundays and holidays), or filed and served by mail not later than **September 27, 2004**, which is seven days before the time set for the hearing (excluding Saturdays, Sundays and holidays). Unless a response opposing the motion is timely served and filed, the court may grant the motion without a hearing. If no response is filed, the court may grant this motion under Local Rule 9013-2(f).

4. Local Rule 9010-3 requires that the attorney for a chapter 7 debtor who

wishes to withdraw, without a substitution of attorney, must do so by motion. Movant desires to withdraw as attorney for Fred Machana in this chapter 7 case.

5. Wherefore, movant seeks an order allowing him to withdraw, and stating that he is no longer the debtor's attorney.

Respectfully submitted,

September 13, 2004
Date

/e/ Craig W. Andresen
Craig W. Andresen, #186557
Attorney for Debtor
2001 Killebrew Dr., Suite 330
Bloomington, MN 55425
(952) 831-1995

VERIFICATION

I, **Craig W. Andresen, Attorney**, hereby declare under penalty of perjury that the foregoing Motion is true and correct to the best of my knowledge.

September 13, 2004
Date

/e/ Craig W. Andresen
Attorney for Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:	)	Case No. 04-41663-RJK
	)	Chapter 7
Fred Ombui Machana,)	
	)	MEMORANDUM SUPPORTING
	)	MOTION BY DEBTOR'S ATTORNEY
	)	TO WITHDRAW FROM CASE
Debtor.)	

Pursuant to Local Rule 9010-3, an attorney who wishes to withdraw without a substitution of attorney must do so by motion, and this motion and memorandum are filed in accordance with Local Rule 9013. Craig W. Andresen hereby requests that this court allow him to withdraw as attorney from the above referenced bankruptcy case.

Respectfully submitted,

September 13, 2004
Date

/e/ Craig W. Andresen
Craig W. Andresen, #186557
Attorney for Debtor
2001 Killebrew Dr., Suite 330
Bloomington, MN 55425
(952) 831-1995

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:	)	Case No. 04-41663-RJK
	)	Chapter 7
Fred Ombui Machana,)	
	)	ORDER ALLOWING
	)	WITHDRAWAL OF
	)	DEBTOR'S ATTORNEY
Debtor.)	

The above entitled matter came on for hearing before the court on October 6, 2004, at Minneapolis, Minnesota, upon the motion of Craig W. Andresen, attorney for the debtor. Appearances are noted in the court's record.

Based upon the proceedings and arguments of counsel, the Court hereby makes the following order:

Craig W. Andresen is allowed to withdraw as attorney of record for Fred Ombui Machana, debtor.

Date

Honorable Robert J. Kressel
United States Bankruptcy Judge

In re:

U.S. Bankruptcy Court
District of Minnesota

Fred Ombui Machana,

UNSWORN DECLARATION
FOR PROOF OF SERVICE

Debtor(s):

Bky. No. **04-41663-RJK**

I, Catherine E. Clausen, employed by Craig W. Andresen, attorney licensed to practice law in this court, with office address of 2001 Killebrew Dr., Suite 330, Bloomington, Minnesota 55425, declare that on September 13, 2004, I served the annexed Notice of Hearing and Motion by Debtor's Attorney to Withdraw from Case, Memorandum Supporting Motion by Debtor's Attorney to Withdraw from Case, and Proposed Order upon each of the entities named below by mailing to each of them a copy thereof enclosing same in an envelope with first class postage prepaid and depositing same in the post office at Bloomington, Minnesota, addressed to them as follows:

Habbo G. Fokkena, U.S. Trustee
1015 U.S. Courthouse
300 S. Fourth St.
Minneapolis, MN 55415

Randall L. Seaver, Trustee
12400 Portland Ave. S., Suite 132
Burnsville, MN 55337

Real Financial Center
c/o Linda J. Jungers, Esq.
430 Oak Grove St., Suite 200
Minneapolis, MN 55403

Americredit
c/o Alice Whitten, Esq.
P.O. Box 183853
Arlington, TX 76096

Fred Ombui Machana
4900 Marigold Ave. N.
Brooklyn Park, MN 55443

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed: September 13, 2004.

Signed: Catherine E. Clausen